



Yisrael Schulman, Esq. President

March 28, 2008

Via Facsimile

Hon. Loretta A. Preska
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Belovic v. Doar 07 Civ 2876 (LAP) (KNF)

Dear Judge Preska:

I am co-counsel for Plaintiffs in the above-referenced case. On behalf of Plaintiffs and Defendant Doar, we respectfully request that the schedule for electronic discovery production by Defendant Doar laid out in this letter be so ordered by the Court. Since the parties' teleconference with the Court on March 24, 2008, Plaintiffs and Defendant Doar met in an effort to resolve ongoing disputes regarding electronic discovery issues. The parties developed tentative search criteria for electronic discovery and strategies for extracting responsive information from databases to be identified. Further, Plaintiffs and Defendant Doar agreed upon the following deadlines for the immediate next steps regarding electronic discovery.

The parties agree to the following schedule through April 14, 2008:

1. By April 1, 2008, Defendant Doar shall provide Plaintiffs with the following information:
 - a. descriptions of the responsibilities of the following APS positions: director of client services/field operations; director of support services; director of APS contracts; director of outreach and training; director of procedures; directors of the borough offices; deputy directors of the borough offices; director of the financial management unit; director of quality assurance and internal audit; and supervisor of Medicaid affiliations unit; and
 - b. identification of the APS positions responsible for the eviction units that are now housed in the borough offices and for the work previously handled by the Medicaid affiliations unit, and their job descriptions.
2. By April 4, 2008, Defendant Doar shall report to Plaintiffs:
 - a. the number of documents collected using the agreed upon search criteria provided to Defendant Doar on March 25, 2008, organized by search term, type of document and custodian; and
 - b. a list of the databases used by APS, a brief description of their content, and the types of reports that can be run from the databases.

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3. By April 11, 2008, Plaintiffs will either advise Defendant Doar that he should go forward with production based on the search results reported as per paragraph 2 above, or request that Defendant Doar amend the search criteria and strategies. If the parties are unable to reach agreement on the search criteria and strategies, they shall promptly seek assistance from the Court.

4. On April 14 or 15, 2008, counsel for Plaintiffs and Defendant Doar will meet to decide upon and finalize a schedule for production of the all non-privileged electronic discovery before submitting a Proposed Order to the Court.

Although we had hoped to reach agreement on a schedule for the completion of electronic discovery, Plaintiffs have agreed to Defendant Doar's request to allow him the opportunity to determine the number of documents that will need to be produced before agreeing to dates for Defendant Doar's production of all non-privileged electronic discovery.

5. *Counsel shall appear for a conference on April 21 at 9:00 am.*
Plaintiffs and Defendant Doar jointly request that the Court schedule a conference during the week of April 21, 2008 to finalize the production schedule for electronic discovery and to assess compliance with the schedule set forth in this letter. If the parties agree that a conference is not necessary, we will so inform the Court at least 48 hours prior to the scheduled date.

We appreciate the assistance the Court has provided in resolving this matter.

SO ORDERED

Loretta A. Preska
LORETTA A. PRESKA
UNITED STATES DISTRICT JUDGE

April 2, 2008

Respectfully submitted,

Jane Greengold Stevens JBM
Jane Greengold Stevens, Esq.

cc: Stephen Kitzinger (via e-mail)
Steven Weber (via e-mail)
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